



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

October 14, 2020

BY ECF

Honorable Lewis J. Liman
United States Courthouse
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: LatinoJustice PRLDEF v. U.S. Department of Housing and Urban Development
Docket No. 20 Civ. 4859 (LJL)

Dear Judge Liman:

We write respectfully on behalf of defendant United States Department of Housing and Urban Development (“HUD”) and plaintiff LatinoJustice PRLDEF (“LatinoJustice”) to provide the Court with a status update in connection with this FOIA matter and to request an adjournment of the October 16, 2020, conference to November 24, 2020, or a date thereafter convenient to the Court, as there are currently no issues in dispute between the parties.

First, since the parties’ September 19, 2020, status report, *see* ECF No. 27, HUD has produced the raw data documents responsive to Items 1 and 3, referenced therein.

Second, as noted in the previous status report, HUD has agreed to process 2,072 documents identified through a second search for potentially responsive electronic records and to produce any responsive, non-exempt records not requiring outside consultation by October 30, 2020. As also noted previously, HUD has already reviewed the 96 White House communication documents identified by that search and determined that those documents are not responsive to the FOIA request and will inform LatinoJustice by October 30, 2020, how many documents, if any, otherwise require outside consultation. HUD will provide LatinoJustice with a draft Vaughn index for any documents responsive to the FOIA request that have been withheld in full by November 19, 2020.

Finally, with respect to data concerning Hispanic/Latinx mixed status households that LatinoJustice maintains is responsive to the FOIA request and that HUD contends is not responsive, *see* ECF No. 27 at 2-5, HUD has agreed to make a discretionary release of the data for the last quarter of 2017, all four quarters of 2018, and the first two quarters of 2019, and will produce the data to LatinoJustice by October 16, 2020.

Given that there are currently no matters requiring resolution by the Court, for the sake of judicial economy and to avoid incurring unnecessary costs and fees, the parties respectfully request that they be permitted to submit another status letter on or before November 23, 2020, and that the October 16, 2020 status conference be adjourned to November 24, 2020, or a date thereafter convenient to the Court.

Thank you for your consideration of this request and your attention to this matter.

Respectfully,

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cc: All Counsel of Record (by ECF)